



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,054	10/27/2000	Charles P. Bobbitt	5053-30901/EBM	6717

7590 01/31/2003

Eric B Meyertons Esq  
Conley Rose & Tayon P C  
P O Box 398  
Austin, TX 78767-0398

EXAMINER
----------

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/699,054

Applicant(s)

BOBBITT ET AL.

Examiner

Marc R Filipczyk

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40, 73 and 122 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40, 73 and 122 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z. 6) ☐ Other:

### **DETAILED ACTION**

This is in response to application filed on October 27, 2000 in which claims 1-40, 73 and 122 are presented for examination. IDS filed on July 12, 2002 has been noted.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-39, 73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 12 and 29, the segment, "processing parameter values define an FSO entity in an FSO processing relationship tree structure stored in the database" is indeterminate. If dealing with multiple organizations, *distinct terminology must be used*. How does the processing parameter value define an FSO?

Regarding claims 2-11, 13-28 and 30-39 depend from claims 1, 12 and 29 and therefore inherit the deficiencies of those claims.

Regarding claim 73, the body of the claim does not utilize the preamble.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2171

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-10, 12, 14-27, 29 and 31-38 are rejected as best as the Examiner is able to ascertain under 35 U.S.C. 102(e) as being anticipated by Kanai et al (U.S. Patent No. 5,864,679).

Regarding claims 1, 3, 7, 12, 20, 24, 29, 31, 35, 73 and 122 Kanai discloses method and system and program (fig. 3, 7-1 to 7-m) performed in a Financial Service Organization (FSO) computer system, the method comprising: (abstract and fig. 10)

Reading a processing relationship object (fig. 10; object) from a database (fig. 8, DATABASE and PROCESSOR; Note: processor reads transactions from database), wherein the processing relationship object describes a location of one or more processing parameter values in a first transaction-related data (fig. 10; BRANCH-ID; Note: branch-id is a parameter of object TR containing location), wherein the processing parameter values define entity in a processing relationship tree structure stored in the database; (col. 43, lines 15-24)

Reading from the first transaction-related data the one or more processing parameter values described in the processing relationship object; (fig. 86, DATA MANAGEMENT UNIT 280 and 282) and

Transferring the processing parameter values read from the first transaction-related data to memory (fig. 6, 9-1).

(Note: predetermined parameter values are definitions of a record)

Art Unit: 2171

Regarding claims 4, 21 and 32, Kanai discloses a record definition (fig. 10, TR-2-1 to TR-2-4). (Note: Mandatory fields such as teller-id and branch-id are the definitions of a record)

Regarding claims 5, 6, 22, 23, 33 and 34, Kanai discloses plural transactions (fig. 3, blocks 1-1, 1-2 to 1-n) wherein data is stored and records are created (fig. 3, blocks 9-1, 9-2, 9-m); and,

sorting report records (fig. 29; ARGUMENT AND WEIGHT INFORMATION, and col. 46, lines 38-43) in report record file (fig. 79A, col. 46, lines 64-68 and col. 47, lines 1-5).  
(Note: creating indexes based on relational records creates files).

Regarding claims 8-10, 25-27 and 36-38, Kanai discloses transferring data to other databases (fig. 8, DATABASE).

Regarding claims 14-19, features claimed such as mouse, keyboard, monitor and display are inherent from all modern computer systems and therefore are rejected.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 13 and 30 are rejected under 35 U.S.C. 103(a) as best as the Examiner is able to ascertain as being unpatentable over Kanai et al (U.S. Patent No. 5,864,679) in view of Amano et al (U.S. Patent No. 6,003,033).

Regarding claims 2, 13 and 30, Kanai discloses all of the claimed subject matter as discussed above with respect to claims 1, 12 and 29, but does not expressly teach a tree structure can be configured by a user. However, Amano teaches a user defined tree structure (title, Amano). It is a common practice to use client defined structures as disclosed by Amano, and would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the initialization of configuration so that a user could configure a data structure according to his needs as done in Amano system. One of ordinary skill in the art would have been motivated to configure a data structure in Kanai at initialization to update or modify the structure accordingly.

Claim 40 is rejected under 35 U.S.C. 103(a) as best as the Examiner is able to ascertain as being unpatentable over Kanai et al (U.S. Patent No. 5,864,679) in view of Troisi (U.S. Patent No. 6,385,612).

Regarding claim 40, Kanai discloses method, system and program (fig. 3, 7-1 to 7-m, Kanai) performed in a Financial Service Organization (FSO) computer system, the method comprising: (abstract and fig. 10, Kanai)

Reading a processing relationship object (fig. 10; object, Kanai) from a database (fig. 8, DATABASE and PROCESSOR; Note: processor reads transactions from database. Kanai), wherein the processing relationship object describes a location of one or more processing parameter values in a first transaction-related data (fig. 10; BRANCH-ID; Note: branch-id is a parameter of object TR containing location Kanai), wherein the processing parameter values define entity in a processing relationship tree structure stored in the database; (col. 43, lines 15-24, Kanai)

Reading from the first transaction-related data the one or more processing parameter values described in the processing relationship object; (fig. 86, DATA MANAGEMENT UNIT 280 and 282, Kanai) and

Transferring the processing parameter values read from the first transaction-related data to memory (fig. 6, 9-1, Kanai).

Kanai further discloses sorting data (fig. 83, block 83A, Kanai) but does not expressly teach sorting records using a key. However, Troisi discloses a method for sorting and storing data employing dynamic sort tree reconfiguration in volatile memory (title, Troisi) wherein identifiers including a sort key and a pointer to a specific volatile memory location are created for each data record (col. 3, lines 1-4, Troisi). Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have implemented Troisi method of using a sort key in Kanai system by adopting Troisi's record sorting key. One of ordinary skill in the art would have been motivated to use a key for sorting records to enhance sorting capabilities.

***Allowable Subject Matter***

Art Unit: 2171

Claims 11, 28 and 39 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patent is cited to further show the state of art with respect to data transfer.

U.S. Patent No. 5,915,252 of Misheski et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is 703-305-7156. The examiner can normally be reached on Mon-Fri, 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MF  
January 24, 2003

  
**SAFET METJAHIC**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**